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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,320	12/29/2000	Andrew Rouse	23452-129	6988

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EXAMINER

PAN, YUWEN

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,320

Applicant(s)

ROUSE ET AL.

Examiner

Yuwen Pan

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments with respect to claims 21-44 have been considered but are moot in view of the new ground(s) of rejection.
2. The examiner has acknowledged that claims 1-20 have been canceled without prejudices and a new set of claims 21-44 is added.

DETAILED ACTION

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 21-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Gilhuly et al (US006701378B1).

Per claims 21, 28, 33 and 38, Gilhuly discloses that a method for enabling a wireless client device to communicate with at least one server having one or more applications residing thereon, the method (see figures 6-8) comprising the steps of:

enabling the wireless client device to select an application residing on the at least one server; enabling the wireless client device to select at least one application action associated with the selected application residing on the at least one server; executing the at least one selected application action on the at least one server (see column 2 and lines 25-39);

formatting at least one application output associated with the at least one selected application action based on a profile of the wireless client device; and transmitting the formatted at least one application output to the wireless client device (see column 2 and lines 34-51).

Per claims 22, 32, 37, Gilhuly further teaches that the user would be able to select at least one application (see column 5 and lines 48-53).

Per claims 23, 36, and 40, Gilhuly further teaches executing the at least one selected application action comprising viewing at least one file and editing at least one file (see column 12 and lines 12-25).

Per claims 24 and 41, Gilhuly further teach that the profile of the wireless client device comprises at least one of a feature of the wireless client device and a command associated with previously selected application action (see column 5 and lines 48-53).

Per claims 25, 42, Gilhuly further teaches that the feature of the wireless client device comprises at least one of an input interface, a display, and a data processing feature (see column 3 and lines 14-32).

Per claim 26, 31, 43, Gilhuly further teaches that formatting the at least one application output comprises at least one of removing an object or artifact contained in the at least one application output, and altering the object or artifact contained in the at least one application output to reduce an amount of information that the object or artifact contains (see column 6 and lines 36-48).

Per claim 27, 44, Gilhuly further teaches that the wireless client device comprises at least one of a data-capable wireless phone, an interactive pager, or a personal digital assistant (see figure 6 and item 220, column 5 and lines 19-35).

Per claims 29, 30, 34, 35, 39, Gilhuly further teaches that a customization module that enables the at least one wireless client device to customize at least one view of the at least one application output wherein inherently the customization module further enables the at least one wireless client device to customize at least one of a display language, a time zone, a date format, and a font format.(see column 5 and lines 44-63).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fickes et al (US006526274B1) discloses method, system, and computer program product for extending the functionality of a personal information manager to telephone system interactions.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yuwen Pan
June 1, 2004


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600